

REMARKS/ARGUMENTS

Upon entry of this Amendment, which amends claims 1, 11, and 21, cancels claims 9, 19, and 29, and adds new claims 31-35, claims 1-8, 10-18, 20-28, and 30-34 will be pending. In the Office Action, claims 1-9, 11-19 and 21-29 were rejected under 35 U.S.C. § 102(a) and (e) as being anticipated by Demizu (U.S. Patent No. 6,195,355 B1); claims 10, 20 and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Demizu in view of Rathakrishanan et al. (U.S. Patent No. 6,049,562). Applicants respectfully request withdrawal of rejections in view of the amendments above and remarks below.

Claim 1, as amended, recites "assigning a relative frequency value to each network and connection, when a higher relative frequency value is assigned to a network connection requiring a higher relative bandwidth" and "allocating credit to each network connection in proportion to relative frequency values of ready connections of a same virtual network connection merge." The rejection states that these elements, which were originally claimed in claim 9, were disclosed and suggested in Demizu at col. 1, lines 10-12, col. 2, lines 57-60 and col. 5, lines 53-57.

Demizu discloses giving a high priority to virtual connections in a list having a large number of virtual connections to be merged. *See Demizu*, col. 3, lines 33-38. Thus, Demizu gives priority based on a number of virtual connections to be merged. In contrast, claim 1 recites that credits are allocated in proportion to relative frequency values of ready network connections of a same virtual network connection merge. As recited in claim 1, a higher relative frequency value is assigned to a network connection requiring a higher relative bandwidth. Thus, Demizu assigns priority based on the number of virtual connections to be merged and not in proportion to relative frequency values of ready network connections of the same virtual network connection merge.

The rejection also cites a section in the background of the invention at col. 2, lines 37-60 that states cells are outputted sequentially after one another by referring to the priority levels assigned to these cells. This section discusses assigning priority to cells, not network connections. In contrast to the cited section, claim 1 recites allocating credits to each network

connection in proportion to the relative frequency values of ready network connections of a same virtual network connection merge. Accordingly, claim 1 recites allocating credits to network connections.

Thus, Applicants respectfully request withdrawal of the rejection of claim 1. Claims 2-10 and 32 depend from claim 1 and thus derive patentability at least therefrom. These claims also recite additional nonobvious and novel features. For example, claim 33 recites:

assigning a credit to each network connection in the plurality of network connections in a first list;

when a network connection is assigned credits equal to its relative frequency value, removing the network connection from the first list; and

continuing to assign a credit to each network connections in the plurality of network connections in the first list until the first list is empty, wherein when a network connection is assigned credits equal to its relative frequency value, the network connection is removed from the first list.

The above use of a first list allows for real-time allocation of credits where searching or skipping over an empty connection (a connection that has had its credits allotted for in proportion to its relative frequency value) may not be necessary. When the network connection has been allotted credits substantially equal to its relative frequency value, it is removed from the first list. The remaining network connections can then be allotted credits without skipping or searching for network connections in which to allot credits. Thus, bandwidth can be allocated in a high-speed real-time environment.

Applicants submit that claims 11-30 and 34-35 should be allowable for at least a similar rationale as discussed with respect to claim 1. Accordingly, Applicants respectfully request withdrawal of the rejections.

New claims 31-32

Applicants submit that the cited references do not disclose or suggest every element of new claims 31-32.

Appl. No. 10/045,287
Amdt. dated June 21, 2005
Reply to Office Action of January 21, 2005

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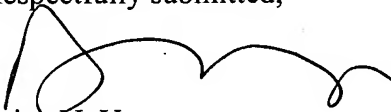
CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

Dated: 6/21/05


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